

To: Honorable Judge Paul G. Gardephe, U.S.D.J. -- SDNY

From: Brandon Green Reg. No.56400054

Defendant, Pro Se

cc: Stand-by Counsel, Steven Witzel;

Office of U.S. Attorney, SDNY; Clerk of Court,

Second Circuit Court of Appeals

Re: Case No. 1:16- cr-00281

Date: May 18, 2021

REQUEST FOR FORMAL RULING; AND, NOTICE OF INTENT

Dear Hon. Judge Paul G. Gardephe:

As you know, I sent you Affidavit(s), Motion(s), and other related papers (hereafter the "Recusal Pleadings and Papers"), formally requesting that you recuse yourself from this case; however, I stated that recusal could be remitted if the Parties here could come to a "meeting of the minds". I'm now writing to inform you that it appears, after exhausting my attempts to negotiate a post-conviction plea deal with the Government, that this is not feasible, because, inter alia, the U.S. Attorney(s) Office does not want to negotiate at this time. Ergo, I'm writing to specifically request that you proceed forward with ruling on my Recusal Pleadings and Papers, and thereafter recuse yourself from this case, and allow for the appointment of another judge to take over this case. Moreover, being that my sentencing is currently scheduled for June 8, 2021 - less than three weeks away -, I ask that you do so immediately, specifically by Friday, May 21, 2021; and/or, give Notice of your Intent to do so, and also Stay the proceedings pending the same. Furthermore, in the event that these things do not occur, I hereby give Notice of my Intent to seek a Stay and review of your refusal to recuse yourself in the Second Circuit Court of Appeals.

Thank you for your time and have a wonderful day.

Respectfully Submitted,

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Brandon Green Reg. # 56400054

Defendant, Pro Se

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